

**MINUTES OF THE
CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL**

October 18, 2007 – 1:30 p.m. – Room W020 House Building

Members Present:

Sen. Dan R. Eastman, Senate Chair
Rep. Steven R. Mascaró, House Chair
Sen. Gene Davis
Rep. David Litvack
Rep. Paul Ray

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

Note: A list of others present, copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Mascaró called the meeting to order at 1:43 a.m.

MOTION: Rep. Litvack moved to approve the minutes of the June 19, 2007 meeting. The motion passed unanimously. Sen. Eastman was absent for the vote.

2. Division of Child and Family Services Reports

Ms. Lisa-Michelle Church, Executive Director, Department of Human Services, introduced the reports required by the exit agreement to the *David C.* case. She noted the importance of continuing to report on DCFS' (Division of Child and Family Services) accountability to the Legislature.

Mr. Brad McGarry, Director of the Office of Services Review, presented three reports to the Panel prepared by his office: (1) "Child Fatality Review Report, FY 2007," (2) "System Review of the Division of Child and Family Services, FY 2007," and (3) "Office of Child Protection Ombudsman, (OCPO) FY 2007." The second report included data on the case process review and qualitative case reviews.

Mr. Duane Betournay, Director, DCFS, distributed and discussed "Reporting Positive Results" and the DCFS director's annual report for 2006. Mr. Betournay's presentation included a discussion of quarterly report data, caseload data, results of the workload study, the federal Child and Family Services Review, and the adequacy of Division resources. He expressed appreciation for the support of the Legislature and noted that the Division anticipates meeting its exit agreement goals. In response to questions by Rep. Litvack, Mr. Betournay said that there have been two projects addressing disproportionate representation of racial minorities in Utah's child welfare system and indicated that the Division could provide additional information to the Panel on the subject in November.

Ms. Church distributed information on the Child and Family Cabinet Council and reviewed the purpose and efforts of that council. She also distributed and discussed two documents, "Kinship Considerations" and "Kinship." At Sen. Davis' request, the Division indicated that it could provide data showing whether children placed with grandparents are placed with the maternal grandparents or the paternal grandparents. Rep. Litvack indicated that he would appreciate the Division preparing for the Panel a list of options for addressing the kin issue.

3. Draft Legislation

Rep. Wayne A. Harper presented 2008 draft legislation, "Child Welfare Definitions." He said that bill's purpose is to organize and clarify statutory child welfare definitions.

MOTION: Rep. Ray moved to recommend to the Legislature 2008 draft legislation "Child Welfare Definitions." The motion passed unanimously with Sen. Eastman absent for the vote.

Sen. Davis presented 2008 draft legislation, "Child Abuse and Neglect Registry - Management and Licensing Information Systems Amendments." Mr. Vaughn explained the background for the legislation and the provisions of the bill. Mr. Betournay expressed concern about the bill. The Panel discussed those concerns.

Sen. Davis presented 2008 draft legislation, "Training of Division of Child and Family Services Caseworkers." Mr. Betournay cautioned against expanding the amount of training required for caseworkers. Rep. Litvack suggested holding the bill until further work is completed on 2008 draft legislation, "Child Welfare Definitions." Sen. Davis requested that the bill be discussed at the next meeting.

Draft legislation, "Waivers of Immunity - Exceptions," by Rep. Gregory H. Hughes was scheduled for consideration but not discussed. The bill will be scheduled for the next meeting.

4. Other Reports

Chair Mascaro asked that Panel members contact the chairs if they have questions about any of the reports listed under this Item 4 of the agenda. The reports were mailed to the Panel but not discussed in the meeting.

Sen. Davis said that he hoped the Panel could look at the budget request by the Office of the Guardian ad Litem at the next meeting. Mr. Rick Smith, Director, Office of the Guardian ad Litem, said that he could provide that information at the next meeting.

The next meeting was scheduled for November 5, 2008 at 1:30 p.m.

5. Adjourn

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously.

Chair Mascaro adjourned the meeting at 3:45 p.m.